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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

BARTELL RANCH, LLC, a Nevada limited
liability company and EDWARD BARTELL,

Plaintiffs,

vs.

ESTER M. MCCULLOUGH, Winnemucca District
Manager, Bureau of Land Management; BUREAU
OF LAND MANAGEMENT,

Case No.: 3:21-cv-00080-MMD-CLB

JOINT STIPULATED SCHEDULE
(FIRST REQUEST)

1
2 Defendants,
3 and
4 Lithium Nevada CORP.,
5 Defendant-Intervenor.

6
7 Pursuant to the Court's August 31, 2021 Order, ECF 91, the parties stipulate to the
8 following schedule to resolve this case.

9
10 WHEREAS, the parties have been meeting and conferring about outstanding issues
11 regarding the content of the administrative record;

12 WHEREAS, in the parties' Joint Motion to Amend the Scheduling Order (approved by
13 this Court on August 31, 2019, ECF 91) the parties informed the Court that the parties would
14 submit an updated proposed scheduling order no later than September 10, 2021, at which time
15 the parties expect a more informed proposal from the meet and confer process for the
16 administrative record and summary judgment briefing, and

17
18 THEREFORE, the Parties agree and stipulate that the following deadlines would apply:

- 19 1. Federal Defendants will provide abbreviated answers to Reno Sparks Indian Colony et al.
20 July 29, 2021 Complaint, ECF 46, and Burns Paiute Tribe's August 25, 2021 Complaint,
21 ECF 83, by no later than October 13, 2021.
22
23 2. Parties shall conclude the meet and confer process on the administrative record Federal
24 Defendants have produced for the initial claims as filed prior to Plaintiff-Intervenors who
25 filed their motion for intervention on July 20, 2021 (the "Initial Claims") by no later than
26 September 17, 2021.
27
28

- 1 3. During the meet and confer process, Plaintiffs have requested that additional documents
2 be included in the administrative record. If the parties are able to come to an agreement
3 on the administrative record, the Federal Defendants shall provide the parties with bates-
4 stamped copies of these documents, on electronic media, such as DVD or USB drive, by
5 October 1, 2021. If the parties cannot agree on the administrative record, motions on the
6 record will be filed pursuant to Paragraph 6 below.
- 8 4. Defendants will produce the administrative record on the additional claims brought by
9 Plaintiff-Intervenors (the “Tribal Claims”) by October 1, 2021.
- 11 5. Parties shall conclude the meet and confer process on the administrative record Federal
12 Defendants have produced on the Tribal Claims by no later than October 15, 2021.
- 14 6. Any motion objecting to the administrative record or seeking to supplement the record
15 would be filed by no later than October 22, 2021. If motions on the administrative record
16 are filed, the parties stipulate to the usual time for opposition and reply shall apply as
17 delineated in the below schedule. The parties respectfully request that the Court set a time
18 for any hearing on such a motion to potentially provide for a ruling by the Court as quickly
19 as possible.
- 21 7. Plaintiffs, Bartell Ranch and Western Watersheds Project et al., and/or Plaintiff
22 Intervenors, Reno Sparks Indian Colony et al. and Burns Paiute Tribe, or Defendant-
23 Intervenor LNC, shall file any motion on the administrative record, limited to 24 pages
24 for each separate motion, by no later than October 22, 2021;
- 26 8. Responses to any motions on the administrative record, limited to 24 pages for each
27 response, shall be filed by no later than November 5, 2021;

- 1 9. Plaintiffs, Plaintiff Intervenors, or LNC, shall file any replies, limited to 12 pages each,
2 by no later than November 12, 2021. If no motions related to the administrative record are
3 filed, Federal Defendants shall file the complete administrative record with the Court on
4 electronic media, such as DVD or USB drive, no later than November 5, 2021;
5
- 6 10. Plaintiffs and Plaintiffs Intervenors, shall file their motion for summary judgment and
7 brief in support of their motion for summary judgment, limited to 40 pages for Plaintiff
8 Bartell Ranch, et al., 40 pages for Plaintiff WWP, et al., and 25 pages for Plaintiff
9 Intervenors Reno Sparks Indian Colony and 25 pages for additional Plaintiff Intervenors
10 the Burns Paiute Tribe, by no later than November 12, 2021;
11
- 12 11. Federal Defendants and Lithium Nevada shall file their separate cross-motions for
13 summary judgment (combined with their opposition to Plaintiffs' and Plaintiff
14 Intervenors' motions), limited to 40 pages in response to Plaintiffs Bartell Ranch, et al.,
15 40 pages in response to Plaintiff WWP, et al., and 50 pages in response to Plaintiff
16 Intervenors' motions, by no later than December 17, 2021.
17
- 18 12. Plaintiffs and Plaintiff Intervenors shall file their combined opposition to Federal
19 Defendants' and Lithium Nevada's motions for summary judgment and reply in support
20 of their motions for summary judgment, limited to 40 pages each for Plaintiffs Bartell
21 Ranch, et al., and Plaintiffs WWP, et al., and 25 pages each for Plaintiff Intervenors Reno
22 Sparks Indian Colony and the Burns Paiute Tribe, by no later than January 14, 2022;
23
- 24 13. Federal Defendants and Lithium Nevada shall file their separate replies in support of their
25 motions for summary judgment, limited to 25 pages in reply to Plaintiffs Bartell Ranch,
26 et al., 25 pages in reply to Plaintiff WWP, et al., and 40 pages in reply to Plaintiff
27 Intervenors' motions, by no later than February 4, 2022.
28

1 14. The parties respectfully request oral argument on the summary judgment motions at this
2 Court's earliest convenience after the conclusion of briefing.
3

4
5 Respectfully submitted this 10th day of September, 2021.
6

7 /s/ Talasi Brooks

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Tribe*

ORDER

IT IS SO ORDERED

DATED this ____ day of September, 2021

CHIEF JUDGE MIRANDA DU

UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I, Talasi Brooks, hereby attest that I served the foregoing on all parties via this Court's ECF system, this 10th day of September, 2021.

s/ Talasi Brooks